IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE N.V.RAMANA

Writ Petition No.9108 of 2007
DATED 27.4.2007

BETWEEN
V.Venkateswarlu

.. Petitioner

And

The Vice Chairman & Managing Director,
APSRTC, Musheerabad, Hyderabad and 2 others.

.. Respondents

THE HONOURABLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO.9108 OF 2007

ORDER:

The petitioner was appointed as a Driver in the respondents-Corporation in the year 1994. While working as such, during periodic medical examination, the Medical Officer, APSRTC Hospital, Kurnool, declared the petitioner medically unfit to hold the post of Driver due to defective distant vision and near vision (LE) on 21.6.2006. In the appeal preferred against the said decision, the Superintendent and CMO Tarnaka also declared the petitioner as medically unfit on 14.9.2006. Thereafter, the petitioner was retired on medical grounds through proceedings dated 23.11.2006 of the 2nd respondent. Thereafter, the petitioner made a representation dated 1.12.2006, under Section 47 of the Persons with Disabilities

(Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, requesting the 3rd respondent, namely the Regional Manager, to provide alternative employment, but till date, no orders thereon have been passed. Hence, he filed the present writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

Since the representation dated 29.08.2006, said to have been made by the petitioner under Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 requesting to provide alternative employment, is pending consideration before the 3rdt respondent, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following direction.

The 3rd respondent, namely the Regional Manager, APSRTC, Nalgonda Region, Nalgonda, is directed to consider the representation of the petitioner, if any, for providing alternative employment in lieu of his medical unfitness in the light of the provisions under Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and pass appropriate orders thereon, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

N.V.RAMANA,J

Dt: 27.4.2007
msv